

REMARKS

Claims 1 through 14 are pending in the subject application. Claims 1 and 12 stand rejected under 35 U.S.C. § 102(b). Claim 14 stands rejected under 35 U.S.C. § 103(a). Claims 2-11 and 13 are objected to but otherwise allowable. Claim 1 has been amended. Claims 15 and 16 have been newly added. Accordingly, upon entering this amendment, the pending claims will be claims 1-16.

The Applicants appreciate the Examiner's thorough examination of the subject application and respectfully request reconsideration of the subject application based on the above amendment and the following remarks.

35 U.S.C. § 102(b) REJECTIONS

The Examiner has rejected claims 1 and 12 under 35 USC 102(b) as being anticipated by U.S. Patent Number 5,812,279 to Fukushima ("Fukushima" or the "Fukushima Reference"). The Applicants respectfully traverse the grounds for rejection based on the above amendment and for the following remarks.

The present invention provides a facsimile apparatus having a multi-address transmission function that is capable of peer-to-peer multi-address transmission through a public switched telephone network ("PSTN") and/or the Internet. See, e.g., Specification, page 1, lines 8-14. Indeed, the present invention "is capable of multi-address transmission of one image data in both the facsimile mode and the electronic mail mode." *Id.*, page 2, lines 13-15 (emphasis added). In short, as recited in claim 1, the apparatus includes a "function of multi-address transmission of image data in a plurality of different communication media."

The Fukushima reference discloses a facsimile machine that comprises a reading device for reading an original image to be transmitted, a memory for storing

the read image data, a first transmission device for transmitting the image data stored in the memory to an external device, a second transmission device for transmitting the read image data to an external device in parallel with the reading operation by the reading device, and a controller for activating one of the first and second transmission devices based on the remaining amount of the storage capacity of the memory. See, e.g., Fukushima, Abstract. By having two transmission means, (1) it is possible to efficiently use a memory in a facsimile machine by activating the two transmission means selectively, depending on the remaining amount of the storage capacity of the storage means, and (2) when the remaining amount of the storage means is below a prescribed value, the data stored are transmitted by the first transmission means and, thereafter, image data corresponding to original images yet to be transmitted are transmitted by the second transmission means without using the storage means. Thus, high speed transmission processing can be achieved. See, e.g., Id., col. 1, line 51 to col. 2, line 34.

Although the Fukushima reference clearly only applies to communication over a PSTN (See, e.g., Id., col. 4, lines 25-28 and 54-57), the Examiner asserts that, Fukushima teaches a plurality of communication modes, i.e., a "regular" mode and a "manual" mode.

The specification and claim 1, however, refer to communication modes in the sense of how the data are transmitted, i.e., a PSTN and/or the Internet. Hence, claim 1 has been amended to replace the term "mode" with the term "media", which, clearly, the Fukushima reference does not teach, mention or suggest.

Thus, it is respectfully submitted that, claims 1 and 12 satisfy the requirements of 35 U.S.C. 100, et seq., especially § 102(b), and are allowable. Moreover, it is respectfully submitted that the subject application is in condition for allowance. Early and favorable action is requested.

35 U.S.C. § 103(a) REJECTIONS

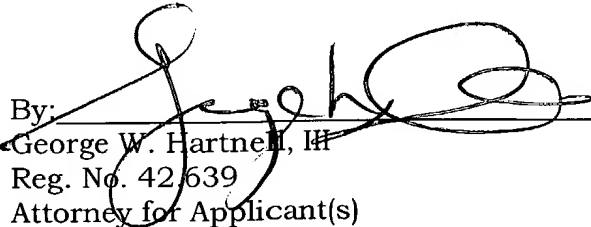
The Examiner has rejected claim 14 under 35 USC 103(a) as being unpatentable over Fukushima in view of U.S. Patent Number 5,134,502 to Nakatsuma, et al. ("Nakatsuma" or the "Nakatsuma Reference"). The Applicants respectfully traverse the grounds for rejection based on the following remarks.

The Nakatsuma reference cannot make up for the deficiencies of the Fukushima reference. Specifically, Nakatsuma does not teach, mention or suggest transmitting image data in a plurality of different communication media. Accordingly, it is respectfully submitted that, claim 14 satisfies the requirements of 35 U.S.C. 100, et seq., especially § 103(a), and is allowable. Moreover, it is respectfully submitted that the subject application is in condition for allowance. Early and favorable action is requested.

The Applicants believe that no additional fee is required for consideration of the within Response. However, if for any reason the fee paid is inadequate or credit is owed for any excess fee paid, you are hereby authorized and requested to charge Deposit Account No. **04-1105**.

Respectfully submitted,

Date: November 24, 2004

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